

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

KENDRICK BAILEY	§	
VS.	§	CIVIL ACTION NO. 1:21-CV-408
SHERIFF, JEFFERSON COUNTY	§	

MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION

Petitioner Kendrick Bailey, a prisoner confined at the Jefferson County Correctional Facility, proceeding *pro se*, filed this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.

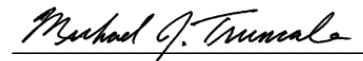
The Court referred this matter to the United States magistrate judge for consideration pursuant to applicable laws and orders of this Court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends dismissing the Petition without prejudice for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b). The recommendation was based on Petitioner's failure to comply with an order to pay the \$5.00 filing fee or submit an application to proceed *in forma pauperis*.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. Proper notice was given to Petitioner at his last known address. *See* FED. R. CIV. P. 5(b)(2)(C). No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the Report of the magistrate judge [Dkt. 6] is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

**SIGNED** this 3rd day of December, 2021.

A handwritten signature in black ink, reading "Michael J. Truncala", is written over a horizontal line.

Michael J. Truncala  
United States District Judge